

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

MARK SCHOGGINS,

Plaintiff,

v.

Case No. 21-CV-133-JFH-GLJ

OKLAHOMA HIGHWAY PATROL et al.,

Defendants.

ORDER

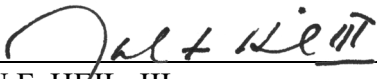
Before the Court is the Report and Recommendation of United States Magistrate Judge Gerald L. Jackson. Dkt. No. 62. The Magistrate Judge recommends that the Motion for Summary Judgment filed by Defendant City of McAlester [Dkt. No. 48] and the Motion for Summary Judgment filed by Defendants Oklahoma Highway Patrol, Garret Gray, and James McKee [Dkt. No. 49] be GRANTED.

Neither party objected to the Magistrate Judge's Report and Recommendation within the fourteen-day period prescribed by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with the Magistrate Judge's recommendation and accepts and adopts it as the order of this Court.

IT IS THEREFORE ORDERED that:

1. The Motion for Summary Judgment filed by Defendant City of McAlester [Dkt. No. 48] and the Motion for Summary Judgment filed by Defendants Oklahoma Highway Patrol, Garret Gray, and James McKee [Dkt. No. 49] are hereby GRANTED.
2. Plaintiff's claims are dismissed with prejudice.
3. The Motion to Dismiss filed by Defendant City of McAlester [Dkt. No. 11] is DENIED as moot.

Dated this 1st day of May 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE